

UNITED STATES DISTRICT COURT

for the

Eastern District of Kentucky

Eastern District of Kentucky

FILED

AUG 19 2019

AT LEXINGTON
ROBERT R. CARR
CLERK U.S. DISTRICT COURT

United States of America

v.

Scott Greiner

Case No.

19-MJ-5250

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 7, 2019 in the county of Fayette in the
Eastern District District of Kentucky, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 875(c)

Knowingly transmitted in interstate commerce a communication containing a threat to injure the person of another

This criminal complaint is based on these facts:

See Affidavit

☒ Continued on the attached sheet.

Signed remotely per FRCP 4.1.

Complainant's signature

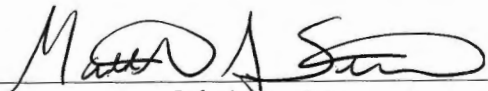
David Lowery, FBI SA

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Criminal. P. 4.1 transmitted by reliable electronic means (telephone).

Date: 08/19/2019

City and state: Lexington, KY



Judge's signature

Matthew A. Stinnett, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, David Lowery, first being duly sworn, state as follows:

1. I am a law enforcement officer of the United States within the meaning of Section 2501(7) of Title 18, that is, an officer of the United States who is empowered by law to conduct investigations of and make arrests for offenses enumerated in Title 18, United States Code, Section 2516. I am also a “Federal Law Enforcement Officer” within the meaning of Rule 41(a)(2)(c) of the Federal Rules of Criminal Procedure.

2. I am a Special Agent with the Federal Bureau of Investigation (FBI), United States Department of Justice, and have been so since July 2011. I am currently assigned to the Lexington Resident Agency, within the Louisville Division of the FBI, and am assigned to investigate a wide range of criminal violations. I have received training from the FBI Academy in Quantico, Virginia, which covered a variety of investigative techniques including interviewing, report writing, and an overview of legal statutes and criminal laws.

3. This affidavit contains information necessary to support probable cause for the Criminal Complaint. This affidavit is not intended to include each and every fact and matter observed by me or known by the government. The facts and information contained in this affidavit are based upon my personal observations, investigations, and that of other law enforcement officers which was conveyed to me.

4. This affidavit is submitted in support of a Criminal Complaint charging Scott Greiner (“Greiner”) with making interstate communications with the intent to

injure in violation of 18 U.S.C. § 875(c).

5. Greiner is a patient of the VA Medical Center in Lexington, Kentucky, and lives in Fayette County, Kentucky. On or about August 7, 2019, Greiner made an interstate phone call from Lexington, Kentucky to Tri-West, a VA contractor located in Kansas City, Missouri, regarding a medical appointment. During the phone call in which two representatives from Tri-West participated, Greiner became angry because he believed that he should not have to call every three months to schedule his appointments. According to the Tri-West representatives, Greiner told them he was going to his local VA to either turn it into another El Paso or give it an El Paso welcome with one or two M-16 rifles. The mass shooting at a Wal-mart in El Paso, Texas had just occurred four days before Greiner made this call. One of the customer service representatives told investigators that the phone call lasted for approximately 6 minutes during which time Greiner expressed empathy and understanding to those who have committed mass shootings.


6. Tri-West reported the call to the VA in Lexington. The VA attempted to call Greiner, but he did not answer so Fayette County Sheriff's deputies went to Greiner's residence. Greiner admitted making the call and being angry, but denied having made any threats. On August 13, 2019, I interviewed Greiner with the VA police. Greiner continued to deny making a threat to the VA, but admitted that he was angry when he talked to Tri-West, and said that he told the customer service representative that "you don't want to have this be another El Paso incident."

7. Based on the foregoing, I believe that probable cause exists to believe that on August 7, 2019, in the Eastern District of Kentucky, Scott Greiner, sent a message in interstate commerce containing a threat to injure those at the VA Medical Center in Lexington, Kentucky, in violation of 18 U.S.C. § 875(c). I request that this Court issue an arrest warrant for Scott Greiner.

Signed remotely per FRCP 4.1.

David Lowery
SA FBI

Sworn to and subscribed before me this 19th day of August, 2019.



MATTHEW A. STINNETT
MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT